

**General Assembly**

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**Fifty-eighth session**  
Agenda item 94

**Environment and sustainable development****Report of the Second Committee\***

*Rapporteur:* Mr. José Alberto Briz Gutiérrez (Guatemala)

1. At its 2nd plenary meeting, on 19 September 2003, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-eighth session the item entitled:

“Environment and sustainable development:

“(a) Promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996-2005;

“(b) Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa;

“(c) Convention on Biological Diversity;

“(d) Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States;

“(e) International Strategy for Disaster Reduction;

“(f) Protection of global climate for present and future generations of mankind;

“(g) Sustainable mountain development”

and to allocate it to the Second Committee.

2. The Second Committee considered the item at its 12th to 18th meetings, on 16 and 17 and from 20 to 22 October 2003. An account of the Committee's discussion of the item is contained in the relevant summary records (A/C.2/58/SR.12-18). Attention is also drawn to the general debate held by the Committee at its 2nd to 6th meetings, from 6 to 9 October (see A/C.2/58/SR.2-6). An account of the

\* The report of the Committee on this item will be issued in nine parts, under the symbol A/58/484 and Add.1-8.



Committee's further consideration of the item will be given in the addenda to the present report, as follows:

| <i>Sub-item</i>                              | <i>Addendum</i> |
|----------------------------------------------|-----------------|
| (a)                                          | 1               |
| (b)                                          | 2               |
| (c)                                          | 3               |
| (d)                                          | 4               |
| (e)                                          | 5               |
| (f)                                          | 6               |
| (g)                                          | 7               |
| Proposals not related to a specific sub-item | 8               |

3. For its consideration of the item, the Committee had before it the following documents:

#### **Item 94**

##### **Environment and sustainable development**

Report of the Governing Council of the United Nations Environment Programme on its twenty-second session (3-7 February 2003)<sup>1</sup>

Letter dated 14 July 2003 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General, transmitting the final communiqué adopted by the Chairmen/Coordinators of the Chapters of the Group of 77 and China at their thirty-fourth meeting, held at Geneva on 26 and 27 June 2003 (A/58/204)

Letter dated 1 October 2003 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General, transmitting the ministerial declaration adopted by the Ministers for Foreign Affairs of the Group of 77 and China at their twenty-seventh annual meeting, held at United Nations Headquarters on 25 September 2003 (A/58/413)

##### **(a) Promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996-2005**

Report of the Secretary-General (A/58/164)

Letter dated 16 October 2003 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General transmitting the joint declaration of the European Union, Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Iceland, Latvia, Lithuania, Malta, New Zealand, Norway, Poland, Romania, Slovakia, Slovenia, the Alliance of Small Island States, Switzerland and Turkey entitled "The way forward on renewable energy" (A/C.2/58/10)

<sup>1</sup> *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 25 (A/58/25).*

**(b) Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa**

Report of the Secretary-General (A/58/158)

**(c) Convention on Biological Diversity**

Note by the Secretary-General transmitting the report of the Executive Secretary of the Convention on Biological Diversity (A/58/191)

**(d) Further implementation of the Programme of Action for the Sustainable Development of Small Island Developing States**

Report of the Secretary-General on the further implementation of the outcome of the Global Conference on the Sustainable Development of Small Island Developing States (A/58/170)

Note by the Secretary-General transmitting the draft provisional rules of procedure of the International Meeting to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States (A/58/567)

Letter dated 20 August 2003 from the Permanent Representative of Samoa to the United Nations addressed to the Secretary-General, transmitting the final report of the Pacific Regional Preparatory Meeting for the international meeting to review the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, held in Apia from 4 to 8 August 2003 (A/58/303)

Letter dated 21 August 2003 from the Permanent Representative of New Zealand to the United Nations addressed to the Secretary-General, transmitting the communiqué of the thirty-fourth Pacific Islands Forum, held in Auckland, New Zealand, from 14 to 16 August 2003 (A/58/304)

Note by the Secretariat on preparations for an international meeting to review the implementation of the Programme of Action for the Sustainable Development of Small Island Developing States (A/C.2/58/4)

Letter dated 10 November 2003 from the Permanent Representative of Cape Verde to the United Nations addressed to the Secretary-General, transmitting the final report of the Regional Preparatory Meeting of the Small Island Developing States of the Atlantic, Indian Ocean, Mediterranean and South China Seas to Review the Implementation of the Programme of Action for the Sustainable Development of Small Island Developing States, held in Praia from 1 to 5 September 2003 (A/C.2/58/12)

**(e) International Strategy for Disaster Reduction**

Report of the Secretary-General on the implementation of the International Strategy for Disaster Reduction (A/58/277)

**(f) Protection of global climate for present and future generations of mankind**

Note by the Secretary-General transmitting the report of the Executive Secretary of the United Nations Framework Convention on Climate Change on the work of the Conference of the Parties to the Convention (A/58/308)

**(g) Sustainable mountain development**

Note by the Secretary-General transmitting the report of the Director-General of the Food and Agriculture Organization of the United Nations on the International Year of Mountains, 2002 (A/58/134)

Letter dated 17 October 2003 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General, transmitting the conclusions of the first global meeting of members of the International Partnership for Sustainable Development in Mountain Regions, held in Merano, Italy, on 5 and 6 October 2003 (A/C.2/58/8)

4. At the 12th meeting, on 16 October, introductory statements were made by the Executive Secretary of the United Nations Framework Convention on Climate Change (under sub-item (f)), the Executive Secretary of the Convention on Biological Diversity (under sub-item (c)), the Deputy Emergency Relief Coordinator (under sub-item (e)), the Deputy Chief of the Energy and Transport Branch of the Division for Sustainable Development of the Department of Economic and Social Affairs (under sub-item (a)), the Director of the Liaison Office in New York of the Food and Agriculture Organization of the United Nations (under sub-item (g)) and the Director of the New York Office of the United Nations Environment Programme (under the item as a whole) (see A/C.2/58/SR.12).

5. At the same meeting, the Director of the Office of the High Representative for the Least Developed Countries, Land-locked Developing Countries and Small Island Developing States made a statement (see A/C.2/58/SR.12).

6. At the 15th meeting, on 20 October, introductory statements were made by the Under-Secretary-General for Economic and Social Affairs and the Director of the Liaison Office in New York of the United Nations Educational, Scientific and Cultural Organization (see A/C.2/58/SR.15).

7. At the same meeting, the Under-Secretary-General and High Representative for the Least Developed Countries, Land-locked Developing Countries and Small Island Developing States and the Executive Secretary of the United Nations Convention to Combat Desertification made statements (see A/C.2/58/SR.15).



## General Assembly

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**Fifty-eighth session**  
**Agenda item 94 (a)**

### **Environment and sustainable development: promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996-2005**

#### **Report of the Second Committee\***

*Rapporteur:* Mr. José Alberto Briz Gutiérrez (Guatemala)

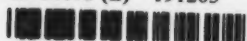
#### **I. Introduction**

1. The Second Committee held a substantive debate on agenda item 94 (see A/58/484, para. 2). Action on sub-item (a) was taken at the 34th and 37th meetings, on 12 November and 11 December 2003. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/58/SR.34 and 37).

#### **II. Consideration of draft resolutions A/C.2/58/L.26 and A/C.2/58/L.59**

2. At the 34th meeting, on 12 November, the representative of Morocco, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996-2005" (A/C.2/58/L.26). Subsequently, Bulgaria, Cyprus, Fiji, Italy (on behalf of the Member States of the United Nations that are members of the European Union and the acceding countries, Cyprus, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia and Slovenia), Mexico, Monaco, Nauru, Papua New Guinea, Romania, Turkey, Uganda and Ukraine joined in sponsoring the draft resolution. The draft resolution read as follows:

\* The report of the Committee on this item will be issued in nine parts, under the symbol A/58/484 and Add.1-8.



*"The General Assembly,*

*"Recalling its resolutions 53/7 of 16 October 1998, 54/215 of 22 December 1999, 55/205 of 20 December 2000 and 56/200 of 21 December 2001 on the World Solar Programme 1996-2005,*

*"Recalling also the provisions contained in the Plan of Implementation of the World Summit on Sustainable Development (Johannesburg Plan of Implementation) concerning energy for sustainable development, including the promotion of renewable energy,*

*"Welcoming initiatives that aim to improve access to reliable, affordable, economically viable, socially acceptable and environmentally sound energy services for sustainable development to contribute to the achievement of the Millennium Development Goals,*

*"Emphasizing that the World Solar Programme 1996-2005 is aimed at encompassing all forms of new and renewable energy, including solar, thermal, photovoltaic, biomass, wind, hydro, tidal, ocean and geothermal forms,*

*"1. Takes note of the report of the Secretary-General;*

*"2. Reaffirms that the Johannesburg Plan of Implementation is the framework for energy for sustainable development and calls for its full implementation;*

*"3. Notes the role that the World Solar Commission continues to play in the mobilization of international support and assistance for the implementation of many of the national high-priority projects on renewable sources of energy included in the World Solar Programme 1996-2005, many of which are being executed with national funding;*

*"4. Notes also that although significant financial support has been provided by some developed countries that are Members of the United Nations and some intergovernmental organizations, within and outside the United Nations system, in the implementation of the World Solar Programme 1996-2005, more action still needs to be taken in this regard;*

*"5. Encourages all countries to promote sustainable patterns of energy consumption and production, with the developed countries taking the lead and with all countries benefiting from the process, taking into account the principle of common but differentiated responsibilities, and, in this regard, invites the international community to support the efforts of developing countries through the provision of financial resources for capacity-building and transfer of technology;*

*"6. Recognizes that rural energy services, including their financing, should be designed to maximize local ownership, as appropriate;*

*"7. Encourages the United Nations system to continue to raise awareness of the importance of energy for sustainable development, including the need for the promotion of new and renewable sources of energy and the implementation of the World Solar Programme 1996-2005, particularly in the context of sustainable development and poverty eradication;*

"8. *Emphasizes* the need to intensify research and development in support of energy for sustainable development, which will require increased commitment on the part of all stakeholders, including Governments and the private sector, to deploy financial and human resources for accelerating research efforts;

"9. *Stresses* that the wider use of available renewable sources of energy requires technology transfer and diffusion on a global scale, including through North-South and South-South cooperation;

"10. *Calls upon* Governments, as well as relevant regional and international organizations and other relevant stakeholders, to combine, as appropriate, the increased use of renewable energy resources, more efficient use of energy, greater reliance on advanced energy technologies, including advanced and cleaner fossil fuel technologies, and the sustainable use of traditional energy resources, which could meet the growing need for energy services in the longer term to achieve sustainable development;

"11. *Invites* the Director-General of the United Nations Educational, Scientific and Cultural Organization to make effective the implementation of the Global Renewable Energy Education and Training Programme 1996-2005 in the various regions;

"12. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

"13. *Decides* to include in the provisional agenda of its sixtieth session, under the item entitled 'Environment and sustainable development', the sub-item entitled 'Promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996-2005'."

3. At the 37th meeting, on 11 December, the Vice-Chairperson of the Committee, Irena Zubčević (Croatia), introduced a draft resolution entitled "Promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996-2005" (A/C.2/58/L.59), which she submitted on the basis of informal consultations held on draft resolution A/C.2/58/L.26.

4. At the same meeting, the Committee adopted draft resolution A/C.2/58/L.59 (see para. 7).

5. After the adoption of the draft resolution, a statement was made by the representative of the Russian Federation (see A/C.2/58/SR.37).

6. In the light of the adoption of draft resolution A/C.2/58/L.59, draft resolution A/C.2/58/L.26 was withdrawn by its sponsors.

### III. Recommendation of the Second Committee

7. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

## **Promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996-2005**

*The General Assembly,*

*Recalling* its resolutions 53/7 of 16 October 1998, 54/215 of 22 December 1999, 55/205 of 20 December 2000 and 56/200 of 21 December 2001 on the World Solar Programme 1996-2005,

*Recalling also* the recommendations and conclusions contained in the Plan of Implementation of the World Summit on Sustainable Development (Johannesburg Plan of Implementation)<sup>1</sup> concerning energy for sustainable development,

*Welcoming* initiatives that aim to improve access to reliable, affordable, economically viable, socially acceptable and environmentally sound energy services for sustainable development in order to contribute to the achievement of the internationally agreed development goals, including those set out in the United Nations Millennium Declaration,<sup>2</sup>

*Emphasizing* that the World Solar Programme 1996-2005 is aimed at encompassing all forms of new and renewable energy, including solar, thermal, photovoltaic, biomass, wind, hydro, tidal, ocean and geothermal forms,

1. *Takes note* of the report of the Secretary-General;<sup>3</sup>
2. *Reaffirms* that the Johannesburg Plan of Implementation<sup>1</sup> is the intergovernmental framework for energy for sustainable development agreed to at the World Summit on Sustainable Development, and calls for its full implementation;
3. *Notes* the role that the World Solar Commission continues to play in the mobilization of international support and assistance for the implementation of many of the national high-priority projects on renewable sources of energy included in the World Solar Programme 1996-2005, many of which are being executed with rational funding;
4. *Notes also* that although significant financial support has been provided by some developed countries that are Members of the United Nations and by some intergovernmental organizations, both within and outside the United Nations system, in the implementation of the World Solar Programme 1996-2005, more action still needs to be taken in this regard;
5. *Recognizes* that rural energy services, including their financing, should be designed to maximize local ownership, as appropriate;
6. *Encourages* the United Nations system to continue to raise awareness of the importance of energy for sustainable development, including the need for the promotion of new and renewable sources of energy and the implementation of the World Solar Programme 1996-2005, particularly in the context of sustainable development and poverty eradication;

<sup>1</sup> *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1), chap. I, resolution 2, annex.

<sup>2</sup> See resolution 55/2.

<sup>3</sup> A/58/164.

7. *Emphasizes* the need to intensify research and development in support of energy for sustainable development, which will require increased commitment on the part of all stakeholders, including Governments and the private sector, to deploy financial and human resources for accelerating research efforts;

8. *Stresses* that the wider use of available renewable sources of energy requires technology transfer and diffusion on a global scale, including through North-South and South-South cooperation;

9. *Calls upon* Governments, as well as relevant regional and international organizations and other relevant stakeholders, to combine, as appropriate, the increased use of renewable energy resources, more efficient use of energy, greater reliance on advanced energy technologies, including advanced and cleaner fossil fuel technologies, and the sustainable use of traditional energy resources, which could meet the growing need for energy services in the longer term to achieve sustainable development;

10. *Encourages* national and regional initiatives on renewable energies to promote access to energy, including renewable energy, for the poorest and to improve energy efficiency and conservation by resorting to a mix of available technologies, taking into full account the provisions of the Johannesburg Plan of Implementation on energy for sustainable development;

11. *Welcomes* the initiative of the Government of Germany in hosting the International Conference on Renewable Energies in June 2004;

12. *Invites* the Director-General of the United Nations Educational, Scientific and Cultural Organization to continue to make effective the implementation of the Global Renewable Energy Education and Training Programme 1996-2005 in the various regions;

13. *Requests* the Secretary-General to submit to the General Assembly at its sixtieth session a report on the implementation of the present resolution;

14. *Decides* to include in the provisional agenda of its sixtieth session, under the item entitled "Environment and sustainable development", the sub-item entitled "Promotion of new and renewable sources of energy, including the implementation of the World Solar Programme 1996-2005".



## General Assembly

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Fifty-eighth session  
Agenda item 94 (b)

### **Environment and sustainable development: implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa**

#### **Report of the Second Committee\***

*Rapporteur:* Mr. José Alberto **Briz Gutiérrez** (Guatemala)

#### **I. Introduction**

1. The Second Committee held a substantive debate on agenda item 94 (see A/58/484, para. 2). Action on sub-item (b) was taken at the 24th and 37th meetings, on 3 November and 11 December 2003. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/58/SR.24 and 37).

#### **II. Consideration of draft proposals**

##### **A. Draft resolutions A/C.2/58/L.7 and A/C.2/58/L.7/Rev.1**

2. At the 24th meeting, on 3 November, the representative of Morocco, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa" (A/C.2/58/L.7), which read:

*"The General Assembly,*

*"Recalling its resolutions 56/196 of 21 December 2001, 57/259 of 20 December 2002 and other resolutions relating to the United Nations*

\* The report of the Committee on this item will be issued in nine parts, under the symbol A/58/484 and Add.1-8.



Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa.

*"Recalling also* the decision of the World Summit on Sustainable Development to make the Global Environment Facility a financial mechanism of the Convention, and recognizing the strong commitment of the international community demonstrated by the subsequent decisions of the Second Assembly of the Global Environment Facility and the Council of the Facility in this regard.

*"Recognizing* the role of the Conference of the Parties to the Convention as the highest decision-making body in providing guidance to the Global Environment Facility as a financial mechanism for the Convention in its implementation.

*"Reaffirming* that the Convention is an important tool for poverty eradication, and recognizing its universality as well as the importance of the implementation of the Convention for meeting the Millennium Development Goals.

*"Expressing its deep appreciation and gratitude* to the Government of Cuba for hosting the sixth session of the Conference of the Parties to the Convention at Havana from 25 August to 5 September 2003.

*"1. Takes note* of the report of the Secretary-General;

*"2. Welcomes* the decision of the Conference of the Parties to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa at its sixth session to accept the Global Environment Facility as a financial mechanism of the Convention, and invites the Council of the Facility to make the necessary arrangements to put this decision into effect;

*"3. Also welcomes* the decision of the Council of the Global Environment Facility at its meeting held at Washington, D.C. from 14 to 16 May 2003 to establish a new operational programme on sustainable land management, and requests the secretariat of the Facility to discuss with the Convention secretariat the arrangements to facilitate collaboration between the Facility and the Convention and in this regard looks forward to a memorandum of understanding between the Conference of Parties to the Convention and the Council of the Facility;

*"4. Notes* the potential of the decision of the Second Assembly of the Global Environment Facility, held at Beijing from 16 to 18 October 2002, to make land degradation a new focal area of the Facility in the implementation of the Convention;

*"5. Notes with appreciation,* the increased number of affected developing country parties that have adopted their national, subregional and regional action programmes, and urges affected developing countries that have not yet done so to accelerate the process of elaboration and adoption of their action programmes, with a view to finalizing them as soon as possible;

"6. *Urges* the international community to take effective measures for the implementation of the Convention through bilateral and multilateral cooperation programmes;

"7. *Urges also* the United Nations funds and programmes, the Bretton Woods institutions, the donor countries and other development agencies to integrate the provisions of the Convention in their strategies to support the achievement of the Millennium Development Goals and other agreed development goals;

"8. *Invites* all parties to pay promptly and in full the contributions required for the core budget of the Convention for the biennium 2002-2003, and urges all parties that have not yet paid their contributions for the year 1999 and/or the biennium 2000-2001 to do so as soon as possible in order to ensure continuity in the cash flow required to finance the ongoing work of the Conference of the Parties, the secretariat and the Global Mechanism;

"9. *Calls upon* Governments and invites multilateral financial institutions, regional development banks, regional economic integration organizations and all other interested organizations, as well as non-governmental organizations and the private sector, to contribute generously to the General Fund, the Supplementary Fund and the Special Fund, in accordance with the relevant paragraphs of the financial rules of the Conference of the Parties, and welcomes the financial support already provided by some countries;

"10. *Requests* the Secretary-General to make provision for the sessions of the Conference of the Parties and its subsidiary bodies, including the seventh ordinary session of the Conference and the meetings of its subsidiary bodies, in his proposal for the programme budget for the biennium 2004-2005;

"11. *Also requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

"12. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled 'Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa'."

3. At its 37th meeting, on 11 December, the Committee had before it a statement on the programme budget implications of draft resolution A/C.2/58/L.7, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.2/58/L.43).

4. At the same meeting, the Director of the Division of General Assembly and Economic and Social Council Affairs read out an oral correction to document A/C.2/58/L.43 (see A/C.2/58/SR.37).

5. Also at the same meeting, the representative of Morocco (on behalf of the Member States of the United Nations that are members of the Group of 77 and China), introduced a revised draft resolution entitled "Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa" (A/C.2/58/L.7/Rev.1).

6. At the same meeting, the representative of the United States of America made a statement, in which a recorded vote was requested on operative paragraph 14 of revised draft resolution A/C.2/58/L.7/Rev.1 (see A/C.2/58/SR.37).

7. Also at the same meeting, the Committee adopted operative paragraph 14 of revised draft resolution A/C.2/58/L.7/Rev.1 by a recorded vote of 153 to 1 with 0 abstentions. The voting was as follows:<sup>1</sup>

*In favour:*

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

*Against:*

United States of America.

*Abstaining:*

None.

8. At the same meeting, the Committee adopted revised draft resolution A/C.2/58/L.7/Rev.1, as a whole (see para. 14, draft resolution I).

9. Statements in explanation of vote after the vote were made by the representatives of Italy (on behalf of the States Members of the United Nations that are members of the European Union) and Japan (see A/C.2/58/SR.37).

<sup>1</sup> The representative of Pakistan subsequently stated that, had he been present, he would have voted in favour.

## B. Draft resolutions A/C.2/58/L.15 and A/C.2/58/L.60

10. At the 24th meeting, on 3 November, the representative of Morocco, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "International Year of Deserts and Desertification, 2004" (A/C.2/58/L.15), which read:

*"The General Assembly,*

*"Recalling chapter 12 of Agenda 21 adopted by the United Nations Conference on Environment and Development,*

*"Recalling also the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,*

*"Recalling further the Plan of Implementation of the World Summit on Sustainable Development as well as the Johannesburg Declaration on Sustainable Development adopted at the World Summit on Sustainable Development,*

*"Having considered decision 22/15 of the Governing Council of the United Nations Environment Programme on an international year of deserts and desertification,*

*"Deeply concerned by the exacerbation of desertification, particularly in Africa, and its far-reaching implications for the implementation of the Millennium Development Goals, in particular on poverty eradication,*

*"Conscious of the need to raise public awareness and to protect the biological diversity of deserts as well as indigenous and local communities and the traditional knowledge of those affected by this phenomenon,*

*"1. Decides to declare 2004 the International Year of Deserts and Desertification;*

*"2. Designates the United Nations Environment Programme as focal point of the International Year of Deserts and Desertification, in conjunction with the secretariat of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the United Nations Development Programme;*

*"3. Invites all countries to establish national committees or focal points and to celebrate the International Year by arranging appropriate activities;*

*"4. Calls upon all relevant international organizations and developed countries in a position to do so to support the activities related to desertification, including land degradation, to be organized by affected countries, in particular African countries and least developed countries;*

*"5. Encourages Member States to undertake special initiatives in observance of the International Year, with the goal of enhancing the implementation of the United Nations Convention to Combat Desertification;*

*"6. Invites the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution."*

11. At the 37th meeting on 11 December, the Vice-Chairperson of the Committee, Irena Zubčević (Croatia), introduced a draft resolution entitled "International Year of Deserts and Desertification, 2006" (A/C.2/58/L.60), which she submitted on the basis of informal consultations held on draft resolution A/C.2/58/L.15.
12. At the same meeting, the Committee adopted draft resolution A/C.2/58/L.60 (see para. 14, draft resolution II).
13. In the light of the adoption of draft resolution A/C.2/58/L.60, draft resolution A/C.2/58/L.15 was withdrawn by its sponsors.

### III. Recommendation of the Second Committee

14. The Second Committee recommends to the General Assembly the adoption of the following draft resolutions:

#### **Draft resolution I**

#### **Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa**

*The General Assembly,*

*Recalling* its resolutions 56/196 of 21 December 2001 and 57/259 of 20 December 2002 and other resolutions relating to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,<sup>1</sup>

*Recognizing* the strong commitment of the international community, demonstrated at the World Summit on Sustainable Development<sup>2</sup> and the Second Assembly of the Global Environment Facility, to make the Facility available as a financial mechanism of the Convention, pursuant to article 21 of the Convention,

*Recognizing also* the role of the Conference of the Parties to the Convention as the highest decision-making body in providing guidance on matters regarding the implementation of the Convention and in encouraging financial mechanisms to seek to maximize the availability of resources for affected developing countries, while respecting the respective mandates of the mechanisms,

*Reaffirming* that the Convention is an important tool for poverty eradication, particularly in Africa, and recognizing the importance of the implementation of the Convention for meeting the internationally agreed development goals, including those contained in the United Nations Millennium Declaration,<sup>3</sup>

*Reaffirming also* the universal membership of the Convention, and acknowledging that desertification and drought are problems of global dimension in that they affect all regions of the world,

*Expressing its deep appreciation and gratitude* to the Government of Cuba for hosting the sixth session of the Conference of the Parties to the Convention in Havana from 25 August to 5 September 2003,

1. *Takes note* of the report of the Secretary-General;<sup>4</sup>
2. *Welcomes* the decision of the Conference of the Parties to the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, at its sixth session, to

<sup>1</sup> United Nations, *Treaty Series*, vol. 1954, No. 33480.

<sup>2</sup> *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. 1, resolution 1, annex, and resolution 2, annex.

<sup>3</sup> See resolution 55/2.

<sup>4</sup> A/58/158.

accept the Global Environment Facility as a financial mechanism of the Convention, pursuant to article 21 of the Convention;

3. *Also welcomes* the decision of the Council of the Global Environment Facility at its meeting, held in Washington, D.C., from 14 to 16 May 2003, to establish a new operational programme on sustainable land management and, in that regard, urges the Executive Secretary, in collaboration with the Managing Director of the global mechanism, to consult with the Chief Executive Officer and Chairman of the Global Environment Facility, with a view to preparing and agreeing upon a memorandum of understanding, as mandated by the Conference of the Parties to the Convention, for the consideration of and adoption by the Conference of Parties to the Convention and the Council of the Global Environment Facility;

4. *Further welcomes* the outcome of the Second Assembly of the Global Environment Facility, held in Beijing from 16 to 18 October 2002, in particular the decision to designate land degradation as a new focal area of the Facility, which will, inter alia, support the implementation of the Convention;

5. *Notes with appreciation* the increased number of affected developing country parties that have adopted their national, subregional and regional action programmes, and urges affected developing countries that have not yet done so to accelerate the process of elaboration and adoption of their action programmes, with a view to finalizing them as soon as possible;

6. *Invites* affected developing countries to place the implementation of their action programmes to combat desertification high among their priorities in their dialogue with their development partners;

7. *Calls upon* affected parties, with the collaboration of relevant multilateral organizations, including the Global Environment Facility implementation agencies, to integrate desertification into their strategies for sustainable development;

8. *Urges* the international community to take effective measures for the implementation of the Convention through bilateral and multilateral cooperation programmes;

9. *Also urges* the United Nations funds and programmes, the Bretton Woods institutions, the donor countries and other development agencies to integrate actions in support of the Convention in their strategies to support the achievement of internationally agreed development goals, including those contained in the Millennium Declaration;<sup>3</sup>

10. *Welcomes* the strengthened cooperation between the secretariat of the Convention and the global mechanism through the elaboration and implementation of a joint work plan aimed at maximizing the impact of resources and actions, avoiding duplication and overlap and tapping into the expertise, added value and network of each organization in a collaborative manner as action programmes are implemented;

11. *Invites* all parties to pay promptly and in full the contributions required for the core budget of the Convention for the biennium 2002-2003, and urges all parties that have not yet paid their contributions for the year 1999 and/or the biennium 2000-2001 to do so as soon as possible in order to ensure continuity in the cash flow required to finance the ongoing work of the Conference of the Parties, the secretariat and the global mechanism;

12. *Calls upon* Governments, and invites multilateral financial institutions, regional development banks, regional economic integration organizations and all other interested organizations, as well as non-governmental organizations and the private sector, to contribute generously to the General Fund, the Supplementary Fund and the Special Fund, in accordance with the relevant paragraphs of the financial rules of the Conference of the Parties,<sup>5</sup> and welcomes the financial support already provided by some countries;

13. *Takes note* of decision 6/23 on the programme and budget for the biennium 2004-2005, as an ongoing process of the Conference of the Parties to undertake a comprehensive review of the activities of the secretariat, as defined in article 23, paragraph 2, of the Convention;

14. *Requests* the Secretary-General to make provision for the sessions of the Conference of the Parties and its subsidiary bodies, including the seventh ordinary session of the Conference and the meetings of its subsidiary bodies, in his proposal for the programme budget for the biennium 2004-2005;

15. *Also requests* the Secretary-General to report to the General Assembly at its fifty-ninth session on the implementation of the present resolution;

16. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Implementation of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa".

<sup>5</sup> ICCD/COP (1)/11/Add.1 and Corr.1, decision 2/COP.1, annex, paras. 7-11.

## **Draft resolution II International Year of Deserts and Desertification, 2006**

*The General Assembly,*

*Recalling* chapter 12 of Agenda 21 adopted by the United Nations Conference on Environment and Development,

*Recalling also* the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa,<sup>1</sup>

*Recalling further* the Plan of Implementation of the World Summit on Sustainable Development<sup>2</sup> and the Johannesburg Declaration on Sustainable Development adopted at the World Summit on Sustainable Development,<sup>3</sup>

*Having considered* decision 22/15 of the Governing Council of the United Nations Environment Programme on an international year of deserts and desertification,<sup>4</sup>

*Deeply concerned* by the exacerbation of desertification, particularly in Africa, and its far-reaching implications for the implementation of the Millennium Development Goals, in particular on poverty eradication,

*Recalling also* the environment initiative of the New Partnership for Africa's Development,

*Conscious* of the need to raise public awareness and to protect the biological diversity of deserts as well as indigenous and local communities and the traditional knowledge of those affected by this phenomenon,

1. *Decides* to declare 2006 the International Year of Deserts and Desertification;
2. *Designates* the Executive Secretary of the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, as focal point of the Year, in conjunction with the United Nations Environment Programme, the United Nations Development Programme, the International Fund for Agricultural Development and other relevant bodies of the United Nations;
3. *Invites* all countries to establish national committees or focal points and to celebrate the Year by arranging appropriate activities;
4. *Calls upon* all relevant international organizations and Member States to support the activities related to desertification, including land degradation, to be organized by affected countries, in particular African countries and least developed countries;

<sup>1</sup> United Nations, *Treaty Series*, vol. 1954, No. 33480.

<sup>2</sup> *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. 1, resolution 2, annex.

<sup>3</sup> *Ibid.*, resolution 1, annex.

<sup>4</sup> *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 25 (A/58/25), annex.*

5. *Encourages* countries to contribute, as they are able, to the Convention to Combat Desertification and to undertake special initiatives in observance of the Year with the goal of enhancing the implementation of the Convention;

6. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the status of preparation for the Year.

**General Assembly**

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**Environment and sustainable development: Convention on Biological Diversity****Report of the Second Committee\***

*Rapporteur:* Mr. José Alberto Briz Gutiérrez (Guatemala)

**I. Introduction**

1. The Second Committee held a substantive debate on agenda item 94 (see A/58/484, para. 2). Action on sub-item (c) was taken at the 24th, 37th and 40th meetings, on 3 November and on 11 and 16 December 2003. An account of the Committee's consideration of the sub-item is contained in the relevant summary records (A/C.2/58/SR.24, 37 and 40).

**II. Consideration of draft resolutions A/C.2/58/L.11 and A/C.2/58/L.61**

2. At the 24th meeting, on 3 November, the representative of Morocco, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Convention on Biological Diversity" (A/C.2/58/L.11), which read:

*"The General Assembly,*

*"Recalling its resolutions 55/201 of 20 December 2000, 56/197 of 21 December 2001 and 57/253 and 57/260 of 20 December 2002,*

*"Reaffirming the sovereign rights of States over their own biological resources,*

\* The report of the Committee on this item will be issued in nine parts, under the symbol A/58/484 and Add.1-8.



*"Reiterating that the Convention on Biological Diversity is the key international instrument for the conservation and sustainable use of biological resources and the fair and equitable sharing of benefits arising from the use of genetic resources,*

*"Recalling that a more efficient and coherent implementation of the three objectives of the Convention and the achievement by 2010 of a significant reduction in the current rate of loss of biological diversity will require the provision of new and additional financial and technical resources to developing countries,*

*"Recognizing the rights of local and indigenous communities that are holders of traditional knowledge, innovations and practices and, with the approval and involvement of the holders of such knowledge, the need to develop and implement benefit-sharing mechanisms on mutually agreed terms for the use of such knowledge, innovations and practices,*

*"Expressing its deep appreciation for the generous offer of the Government of Malaysia to host the seventh meeting of the Conference of the Parties to the Convention on Biological Diversity and the first meeting of the Conference of the Parties to the Convention serving as the meeting of the Parties to the Cartagena Protocol on Biosafety, to be held at Kuala Lumpur, respectively, from 9 to 20 February and from 23 to 27 February 2004,*

*"1. Takes note of the report of the Executive Secretary of the Convention on Biological Diversity, submitted by the Secretary-General to the General Assembly at its fifty-eighth session;*

*"2. Notes the outcome of the open-ended intersessional meeting on the multi-year programme of work of the Conference of the Parties to the Convention on Biological Diversity up to 2010, held at Montreal, Canada, from 17 to 20 March 2003, and examined the outcome of the World Summit on Sustainable Development, held at Johannesburg, South Africa, from 26 August to 4 September 2003, as it relates to the Convention process;*

*"3. Notes also the outcomes of the eighth and ninth meetings of the Subsidiary Body on Scientific, Technical and Technological Advice of the Conference of the Parties to the Convention on Biological Diversity, held at Montreal, Canada, from 10 to 14 March and from 10 to 14 November 2003;*

*"4. Emphasizes the importance of the full and effective implementation of the Convention to the realization of the internationally agreed development goals, including the Millennium Development Goals and for the achievement of the latter to be consistent with the objectives of the Convention;*

*"5. Invites the parties to the Convention to take the necessary steps to finalize the negotiations of the international regime to promote and safeguard the fair and equitable sharing of benefits arising from the utilization of genetic resources so as to foster the effective implementation of the three objectives of the Convention;*

*"6. Stresses the importance of harmonizing the reporting requirements of the biodiversity-related conventions and, in this regard, encourages further implementation of relevant decisions of those conventions;*

"7. *Urges* developed countries parties to the Convention to contribute to the relevant trust fund of the Convention so as to enhance the full participation of the developing country parties in all its activities;

"8. *Welcomes* the entry into force of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity, on 11 September 2003, and the convening of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety, and invites the parties to the Convention that have not yet ratified or acceded to the Protocol to do so;

"9. *Emphasizes* that the effective implementation of the Cartagena Protocol on Biosafety will require full support from parties, Governments and relevant international organizations, as well as other stakeholders;

"10. *Urges* developed countries to facilitate the transfer of environmentally sound biotechnology for the effective implementation of the Cartagena Protocol on Biosafety, in accordance with the relevant articles of the Convention and the Protocol;

"11. *Underlines* the need for financial resources and capacity-building for the implementation of the Cartagena Protocol on Biosafety, particularly with regard to strengthening national capacities for making the required information available to and interacting with the Biosafety Clearing House, with a view to enabling parties to the Protocol, especially developing countries, effectively to implement the Protocol in general and to make informed decisions on imports of living modified organisms in particular;

"12. *Takes note* of the ongoing work of the liaison group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa, and the Convention on Biological Diversity, and further encourages continuing cooperation in order to promote complementarities among the secretariats while respecting their independent legal status;

"13. *Invites* the Executive Secretary of the Convention on Biological Diversity to continue reporting to the General Assembly on the ongoing work regarding the Convention as well as its Cartagena Protocol;

"14. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled 'Convention on Biological Diversity'."

3. At its 37th and 40th meetings, on 11 and 16 December 2003, the Vice-Chairperson of the Committee, Irena Zubčević (Croatia), introduced and orally corrected the draft resolution entitled "Convention on Biological Diversity" (A/C.2/58/L.61), which she submitted on the basis of informal consultations held on draft resolution A/C.2/58/L.11 (see A/C.2/58/SR.37 and 40).

4. At the 37th meeting, on 11 December, following a statement by the representative of Morocco, the Secretariat informed the Committee that it would reissue draft resolution A/C.2/58/L.61 for technical reasons (see A/C.2/58/SR.37). The Committee then deferred its consideration to a later date.

5. At its 40th meeting, on 16 December, the Committee had before it the reissued draft resolution entitled "Convention on Biological Diversity" (A/C.2/58/L.61).
6. At the same meeting, the Committee adopted draft resolution A/C.2/58/L.61 (see para. 8).
7. In the light of the adoption of draft resolution A/C.2/58/L.61, draft resolution A/C.2/58/L.11 was withdrawn by its sponsors.

### III. Recommendation of the Second Committee

8. The Second Committee recommends to the General Assembly the adoption of the following draft resolution:

#### Convention on Biological Diversity

*The General Assembly,*

*Recalling* its resolutions 55/201 of 20 December 2000, 56/197 of 21 December 2001 and 57/253 and 57/260 of 20 December 2002,

*Reiterating* that the Convention on Biological Diversity<sup>1</sup> is the key international instrument for the conservation and sustainable use of biological resources and the fair and equitable sharing of benefits arising from the use of genetic resources,

*Recalling* the World Summit on Sustainable Development (WSSD) commitments to pursue a more efficient and coherent implementation of the three objectives of the Convention and the achievement by 2010 of a significant reduction in the current rate of loss of biological diversity, which will require action at all levels, including the implementation of national biodiversity strategies and action plans and the provision of new and additional financial and technical resources to developing countries,

*Reaffirming* the urgency to, subject to national legislation, recognize the rights of local and indigenous communities who are holders of traditional knowledge, innovations and practices, and, with the approval and involvement of the holders of such knowledge, innovations and practices, to develop and implement benefit-sharing mechanisms on mutually agreed terms, for the use of such knowledge, innovations and practices,

*Expressing its deep appreciation* for the generous offer of the Government of Malaysia to host the seventh meeting of the Conference of the Parties to the Convention on Biological Diversity and the first meeting of the Conference of the Parties to the Convention serving as the meeting of the Parties to the Cartagena Protocol on Biosafety, to be held in Kuala Lumpur, respectively, from 9 to 20 February and from 23 to 27 February 2004,

1. *Takes note* of the report of the Executive Secretary of the Convention on Biological Diversity, submitted by the Secretary-General to the General Assembly at its fifty-eighth session;<sup>2</sup>

<sup>1</sup> United Nations, *Treaty Series*, vol. 1760, No. 30619.

<sup>2</sup> A/58/191.

2. *Notes* the outcome of the open-ended intersessional meeting on the multi-year programme of work of the Conference of the Parties to the Convention on Biological Diversity up to 2010, held at Montreal, Canada, from 17 to 20 March 2003;

3. *Notes also* the outcomes of the eighth and ninth meetings of the Subsidiary Body on Scientific, Technical and Technological Advice of the Conference of the Parties to the Convention on Biological Diversity, held at Montreal, Canada, from 10 to 14 March and from 10 to 14 November 2003;

4. *Reiterates* the WSSD commitment to negotiate within the framework of the Convention on Biological Diversity, bearing in mind the Bonn Guidelines, an international regime to promote and safeguard the fair and equitable sharing of benefits arising out of the utilization of genetic resources;

5. *Reiterates also* the WSSD commitment to promote the wide implementation of and continued work on the Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of Benefits arising out of their Utilization, as an input to assist the Parties when developing and drafting legislative, administrative or policy measures on access and benefit-sharing as well as contract and other arrangements under mutually-agreed terms for access and benefit-sharing;

6. *Invites* the countries that have not yet done so to ratify the Convention on Biological Diversity;

7. *Welcomes* the entry into force of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,<sup>3</sup> on 11 September 2003 and the convening of the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety, and invites the parties to the Convention that have not yet ratified or acceded to the Protocol to consider doing so;

8. *Emphasizes* that the effective implementation of the Cartagena Protocol on Biosafety will require full support from parties and relevant international organizations and further urges parties to facilitate capacity-building in biosafety in developing countries as well as countries with economies in transition, including to develop and strengthen national capacities for making the required information available to and interacting with the Biosafety Clearing House;

9. *Invites* countries to consider ratifying or acceding to the International Treaty on Plant Genetic Resources for Food and Agriculture;

10. *Encourages* developed countries parties to the Convention to contribute to the relevant trust funds of the Convention, in particular so as to enhance the full participation of the developing country parties in all its activities;

11. *Urges* parties to the Convention on Biological Diversity to facilitate the transfer of technology for the effective implementation of the Convention in accordance with its provisions;

12. *Underlines* the need for increased financial and technical resources for the implementation of the Convention on Biological Diversity and the Cartagena Protocol on Biosafety by developing countries as well as countries with economies in transition, and in this regard welcomes the successful and substantial third replenishment of the Global Environment Facility;

<sup>3</sup> See UNEP/CBD/ExCOP/1/3 and Corr.1, part two, annex.

13. *Takes note* of the ongoing work of the liaison group of the secretariats and offices of the relevant subsidiary bodies of the United Nations Framework Convention on Climate Change,<sup>4</sup> the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, particularly in Africa,<sup>5</sup> and the Convention on Biological Diversity, and further encourages continuing cooperation in order to promote complementarities among the secretariats, while respecting their independent legal status;

14. *Stresses* the importance of harmonizing the reporting requirements of the biodiversity-related conventions while respecting their independent legal status;

15. *Invites* the Executive Secretary of the Convention on Biological Diversity to continue reporting to the General Assembly on the ongoing work regarding the Convention, including its Cartagena Protocol;

16. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Convention on Biological Diversity".

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<sup>4</sup> United Nations, *Treaty Series*, vol. 1771, No. 30822.

<sup>5</sup> *Ibid.*, vol. 1954, No. 33480.